

REMARKS

Claims 6 and 12 are pending. The Examiner's reconsideration of the rejections is respectfully requested in view of the amendments and remarks.

Applicants appreciate the Examiner's indication that Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-6 and 8-13 have been rejected under 35 U.S.C. 102(a) as being anticipated by Wang et al., "A dynamic index method for querying XML data by tree structures." The Examiner stated essentially that Wang teaches all the limitations of Claims 1-6 and 8-13.

Claims 6 and 12 have been amended to include the limitations of allowable Claim 7. Therefore, Claims 6 and 12 are believed to be in condition for allowance. Claims 1-5, 7-11 and 13 have been cancelled. The Examiner's reconsideration of the rejection is respectfully requested.

Applicants have amended Claims 6 and 12 and cancelled Claims 1-5, 7-11 and 13 from further consideration in this application. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

For the forgoing reasons, the present application, including Claims 6 and 12, is believed to be in condition for allowance. The Examiner's early and favorable action is respectfully urged.

Respectfully submitted,

Dated: May 23, 2007

/Nathaniel T. Wallace/
Nathaniel T. Wallace
Reg. No. 48,909
Attorney for Applicants

F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, New York 11797
TEL: (516) 692-8888
FAX: (516) 692-8889